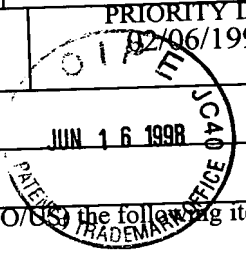
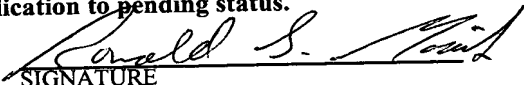
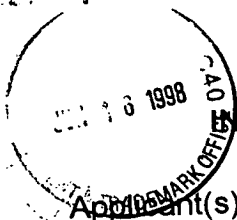


FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (MODIFIED)		ATTORNEY'S DOCKET NUMBER X-9872	
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5)	
		<b>09/091605</b> PRIORITY DATE CLAIMED 02/06/1996 (06.02.96)	
INTERNATIONAL APPLICATION NO. PCT/US97/01978	INTERNATIONAL FILING DATE 02/06/1997 (06.02.97)		
TITLE OF INVENTION DIABETES THERAPY			
APPLICANT(S) FOR DO/EO/US Borts, Tracy L., et al.			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
1.	<input checked="" type="checkbox"/>	This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.	
2.	<input type="checkbox"/>	This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.	
3.	<input type="checkbox"/>	This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).	
4.	<input checked="" type="checkbox"/>	A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.	
5.	<input checked="" type="checkbox"/>	A copy of the International Application as filed (35 U.S.C. 371(c)(2))	
	a.	<input type="checkbox"/>	is transmitted herewith (required only if not transmitted by the International Bureau).
	b.	<input type="checkbox"/>	has been transmitted by the International Bureau.
	c.	<input checked="" type="checkbox"/>	is not required, as the application was filed in the United States Receiving Office (RO/US).
6.	<input type="checkbox"/>	A translation of the International Application into English (35 U.S.C. 371(c)(2)).	
7.	<input checked="" type="checkbox"/>	Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))	
	a.	<input type="checkbox"/>	are transmitted herewith (required only if not transmitted by the International Bureau).
	b.	<input type="checkbox"/>	have been transmitted by the International Bureau.
	c.	<input type="checkbox"/>	have not been made; however, the time limit for making such amendments has NOT expired.
	d.	<input checked="" type="checkbox"/>	have not been made and will not be made.
8.	<input type="checkbox"/>	A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).	
9.	<input checked="" type="checkbox"/>	An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).	
10.	<input type="checkbox"/>	A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).	
<b>Items 11. to 16. below concern document(s) or information included:</b>			
11.	<input type="checkbox"/>	An Information Disclosure Statement under 37 CFR 1.97 and 1.98.	
12.	<input type="checkbox"/>	An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.	
13.	<input type="checkbox"/>	A <b>FIRST</b> preliminary amendment.	
	<input type="checkbox"/>	A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.	
14.	<input type="checkbox"/>	A substitute specification.	
15.	<input type="checkbox"/>	A change of power of attorney and/or address letter.	

16.		Other items or information:	<b>CALCULATIONS PTO USE ONLY</b>																																																																	
17.	<input checked="" type="checkbox"/>	The following fees are submitted:  <b>BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):</b> Search Report has been prepared by the EPO or JPO.....\$930.00  International preliminary examination fee paid to USPTO (37 CFR 1.482) .....\$720.00  No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))....\$790.00  Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$1070.00  International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4).....\$98.00																																																																		
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Surcharge of \$130.00 for furnishing the oath or declaration later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(e)).			\$ 0																																																																	
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;">CLAIMS</th> <th style="width: 20%;">NUMBER FILED</th> <th style="width: 20%;">NUMBER EXTRA</th> <th style="width: 20%;">RATE</th> <th style="width: 20%;"></th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>18-20=</td> <td>0</td> <td>X \$22.00</td> <td>\$0</td> </tr> <tr> <td>Independent claims</td> <td>5-3=</td> <td>2</td> <td>X \$82.00</td> <td>\$164.00</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ \$270.00</td> <td>\$0</td> </tr> <tr> <td colspan="3"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td></td> <td style="text-align: right;">\$884.00</td> </tr> <tr> <td colspan="3">Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).</td> <td></td> <td style="text-align: right;">\$0</td> </tr> <tr> <td colspan="3"><b>SUBTOTAL =</b></td> <td></td> <td style="text-align: right;">\$884.00</td> </tr> <tr> <td colspan="3">Processing fee of \$130.00 for furnishing English translation later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(f)).</td> <td></td> <td style="text-align: right;">\$0</td> </tr> <tr> <td colspan="3"><b>TOTAL NATIONAL FEE =</b></td> <td></td> <td style="text-align: right;">\$0</td> </tr> <tr> <td colspan="3">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +</td> <td></td> <td style="text-align: right;">\$0</td> </tr> <tr> <td colspan="3"><b>TOTAL FEES ENCLOSED =</b></td> <td></td> <td style="text-align: right;">\$884.00</td> </tr> <tr> <td colspan="3"></td> <td style="text-align: right;">Amount to be refunded</td> <td style="text-align: right;">\$</td> </tr> <tr> <td colspan="3"></td> <td style="text-align: right;">charged</td> <td style="text-align: right;">\$</td> </tr> </tbody></table>			CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		Total claims	18-20=	0	X \$22.00	\$0	Independent claims	5-3=	2	X \$82.00	\$164.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$270.00	\$0	<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$884.00	Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$0	<b>SUBTOTAL =</b>				\$884.00	Processing fee of \$130.00 for furnishing English translation later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(f)).				\$0	<b>TOTAL NATIONAL FEE =</b>				\$0	Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +				\$0	<b>TOTAL FEES ENCLOSED =</b>				\$884.00				Amount to be refunded	\$				charged	\$	
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a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 05-0840 in the amount of \$884.00 to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 05-0840. A duplicate copy of this sheet is enclosed.																																																																				
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>																																																																				
SEND ALL CORRESPONDENCE TO: <b>ELI LILLY AND COMPANY</b> PATENT DIVISION/RSM LILLY CORPORATE CENTER INDIANAPOLIS, INDIANA 46285  <u>12/June/98</u>		SIGNATURE  NAME Ronald S. Maciak  REGISTRATION NUMBER 35,262 TELEPHONE: (317) 276-1664																																																																		

101 Rec'd PCT/PTO 16 JUN 1998  
09/091605



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): ELI LILLY AND COMPANY  
International Application No.: PCT/US97/01978  
Filed: 02/06/1997 (06.02.97)  
Invention: DIABETES THERAPY  
Lilly Reference: X-9872  
Earliest Priority Date: 02/06/1996 (06.02.96)

**Certificate Under 37 C.F.R. § 1.10**

Attention: IPEA/US  
Box PCT  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir/Madam:

"Express Mail" mailing label number: EL041986659US

Date of Deposit: 6-16-98

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

QUEEN THOMAS  
(Typed or printed name of person mailing paper)

Queen Thomas  
(Signature of person mailing paper or fee)